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COUNTY OF SAN LUIS OBISPO  
DEPARTMENT OF PLANNING AND BUILDING  
STAFF REPORT

SUBDIVISION REVIEW BOARD

MEETING DATE June 6, 2005	CONTACT/PHONE Nick Forester 781-1163	APPLICANT Gene and Barbara Bilyeu	FILE NO. CO04-0574 SUB2004-00213
SUBJECT Request by Gene and Barbara Bilyeu for a tentative parcel map to subdivide an existing 2.5 acre parcel into two parcels of 1.25 acres each for the purpose of sale and/or development. The proposed project is within the Residential Suburban land use category and is located at 1085 Vineyard Drive in the community of Templeton. The site is in the Salinas River planning area.			
RECOMMENDED ACTION Approve Tentative Parcel Map CO04-0574 based on the findings listed in Exhibit A and the conditions listed in Exhibit B			
ENVIRONMENTAL DETERMINATION A General Rule Exemption was issued on April 5, 2005			
LAND USE CATEGORY Residential Suburban	COMBINING DESIGNATION None	ASSESSOR PARCEL NUMBER 039-281-027	SUPERVISOR DISTRICT(S) 1
PLANNING AREA STANDARDS: None applicable to this project			
LAND USE ORDINANCE STANDARDS: LUO section 22.22.070-Residential Suburban			
EXISTING USES: One residence and accessory structures			
SURROUNDING LAND USE CATEGORIES AND USES: North: Residential Suburban/Residences South: Residential Suburban/Residences East: Residential Suburban/Residences West: Residential Suburban/Residences			
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242			

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OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Templeton Community Advisory Group, Public Works, Environmental Health, County Parks, Templeton Community Services District, Templeton Community Services District-Fire Dept.	
TOPOGRAPHY: Flat	VEGETATION: Grasses/some oak trees
PROPOSED SERVICES: Water supply: Community system Sewage Disposal: Individual septic system Fire Protection: Templeton Community Services District	ACCEPTANCE DATE: April 5, 2005

#### ORDINANCE COMPLIANCE:

##### *Minimum Parcel Size*

Section 22.22.070 of the Land Use Ordinance establishes standards for determining minimum parcel sizes in the Residential Suburban land use category. The standards are based on the topography of the site and the type of water supply and sewage disposal. Minimum parcel size is based on the largest parcel size as calculated by tests. The proposed parcels meet all requirements for one acre parcels as follows:

TEST	STANDARD	MINIMUM PARCEL SIZE
Slope	Average slope is between 0 and 15%	1 acres
Water Supply and Sewage Disposal	Community water On-site septic	1 acres

##### *Quimby Fees*

Title 21, the Real Property Division Ordinance, establishes an in-lieu fee for all new land divisions for the purpose of developing new, or rehabilitating existing, park or recreational facilities to serve the land division. Payment of the parkland fee for all undeveloped parcels is required prior to map recordation.

##### *Affordable Housing Fees*

Sections 18.07 et. seq of Title 18 of the County Code establishes a fee of 3.5% of the public facility fee for all new land divisions. This allows recognized affordable housing projects to be exempted from public facility fees.

##### *Design Standards*

The proposed parcels are consistent with the design criteria set forth in Chapter 3 of the Title 21 of the Real Property Division Ordinance.

##### *Road Improvements*

This application was reviewed in detail by both Public Works and Planning and Building relative to access and circulation requirements for the area. This is in response to the potential for further divisions and development in the site vicinity. As a result of this review, road improvements are recommended as a means of providing appropriate access and circulation for this area.

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Subdivision Review Board  
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COMMUNITY ADVISORY GROUP COMMENTS: TAAG would like to see consolidated driveways off Santa Rita road

AGENCY REVIEW:

Public Works- Recommends approval. Response attached

Environmental Health – Recommends approval. Response attached

County Parks –Recommends approval. Quimby fees required

Templeton Community Services District- Recommends approval. Response attached

Templeton Community Services District, Fire Dept.- Recommends approval. Response attached

LEGAL LOT STATUS:

The lot was legally created by a recorded map (CO-78-120) at a time when that was a legal method of creating lots.

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**FINDINGS - EXHIBIT A**

*CEQA Exemption*

- A. The project qualifies for a General Rule Exemption pursuant to CEQA Guidelines because The parcel proposed for division is within an urbanized area, is zoned for residential use, is in conformance with the general plan and zoning and was not involved in a land division within the last two years. The parcel has no sensitive resources. The parcel has flat topography and is served by community water. The parcels proposes to use onsite septic, however the soils on the site are known to be capable of adequately supporting septic system use and no significant environmental impacts are anticipated.

*Tentative Map*

- B. The proposed map is consistent with applicable county general and specific plans because it complies with applicable area plan standards and is being subdivided in a consistent manner with the residential land use category.
- C. The proposed map is consistent with the county zoning and subdivision ordinances because the parcels meet the minimum parcel size set by the Land Use Ordinance and the design standards of the Real Property Division Ordinance.
- D. The design and improvement of the proposed subdivision are consistent with the applicable county general and specific plans because required improvements will be completed consistent with county ordinance and conditions of approval and the design of the parcels meets applicable policies of the general plan and ordinances.
- E. The site is physically suitable for the type of development proposed because the proposed parcels contain adequate area for development of residential uses
- F. The site is physically suitable for the proposed density of the development proposed because the site can adequately support a primary and secondary dwelling.
- G. The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat because the project site contains no sensitive resources.
- H. The design of the subdivision or the type of improvement will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.
- I. The proposed map complies with Section 66474.6 of the State Subdivision Map Act, as to methods of handling and discharge of waste.

*Road Improvements*

- J. In the interest of the public health and safety, and as a necessary pre-requisite to the orderly development of the surrounding area, the construction of any road improvements shall occur prior to recordation of the parcel map or, if bonded for, within one year after recordation of the parcel map and prior to issuance of a permit or other grant of approval for development on a parcel.

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**EXHIBIT B**

**CONDITIONS OF APPROVAL FOR CO04-0574**

**Approved Project**

Request by Gene and Barbara Bilyeu for a tentative parcel map to subdivide an existing 2.5 acre parcel into two parcels of 1.25 acres each for the purpose of sale and/or development. The proposed project is within the Residential Suburban land use category and is located at 1085 Vineyard Drive in the community of Templeton. The site is in the Salinas River planning area.

**Access and Improvements**

- ☐ Roads and/or streets to be constructed to the following standards: Vineyard and Santa Rita widened to complete an A-1 section fronting the property.
- ☐ Access to be denied to lot one from Vineyard Drive and that this be by certificate and designation on the map.

**Improvement Plans**

- ☐ Improvement plans shall be prepared in accordance with San Luis Obispo County Improvement Standards and Specifications by a Registered Civil Engineer and submitted to the Department of Public Works and the county Health Department for approval. The plan is to include:
  - a. Street plan and profile.
  - b. Drainage ditches, culverts, and other structures (if drainage calculations require).
  - c. Water plan (County Health).
  - d. Grading and erosion control plan for subdivision related improvement locations.
  - e. Public utility plan, showing all existing utilities and installation of all utilities to serve every lot.
- ☐ The applicant shall enter into an agreement with the county for the cost of checking the map, the improvement plans if any, and the cost of inspection of any such improvements by the county or its designated representative. The applicant shall also provide the county with an Engineer of Work Agreement retaining a Registered Civil Engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works.
- ☐ The Registered Civil Engineer, upon completion of the improvements, must certify to the Department of Public Works that the improvements are made in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans. All public improvements shall be completed prior to occupancy of any new structure.

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### **Wastewater Disposal**

- ☐ Prior to the filing of the final parcel or tract map, the applicant shall submit to and be jointly approved by the county Department of Planning and Building and Health Department, results of percolation tests and the log or logs of soil borings performed by a registered civil engineer. For this purpose, the applicant shall perform one or more soil borings to be a minimum depth of ten (10) feet in the area of the appropriate area of the proposed sewage disposal system to determine the: a) subsurface soil conditions, (example: impermeable strata which act as barriers to the effective percolation of sewage); b) presence of groundwater; c) separation between sewage disposal saturation areas and groundwater; d) borings shall be as deep as necessary below the proposed on-site disposal area to assure required separation. The applicant must perform a minimum of three (3) percolation test holes, to be spaced uniformly in the area of the proposed sewage disposal system. (Parcel 2 only)

### **Design**

- ☐ The barn on lot one be removed or brought into conformance with the Land Use Ordinance prior to filing the final parcel or tract map. A demolition permit may be required.
- ☐ The barn on lot two be removed or brought into conformance with the Land Use Ordinance prior to filing the final parcel or tract map. A demolition permit may be required.
- ☐ The shed on the property line and on lots one and two be removed or brought into conformance with the Land Use Ordinance prior to filing the final parcel or tract map. A demolition permit may be required.
- ☐ The fence on lot one that is in the road right of way be removed or brought into conformance with the Land Use Ordinance or an encroachment permit obtained from the department of public works prior to filing the final parcel or tract map.

### **Parks and Recreation (Quimby) Fees**

- ☐ Unless exempted by Chapter 21.09 of the county Real Property Division Ordinance or California Government Code section 66477, prior to filing of the final parcel or tract map, the applicant shall pay the in-lieu" fee that will be used for community park and recreational purposes as required by Chapter 21.09. The fee shall be based on the total number of new parcels or remainder parcels shown on the map that do not already have legal residential units on them.

### **Affordable Housing Fee**

- ☐ Prior to filing the final parcel or tract map, the applicant shall pay an affordable housing fee of 3.5 percent of the adopted public facility fee effective at the time of recording for each residential lot. This fee shall not be applicable to any official recognized affordable housing included within the residential project.

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**Additional Map Sheet**

- ☐ The applicant shall prepare an additional map sheet to be approved by the county Department of Planning and Building and the Department of Public Works. The additional map sheet shall be recorded with the final parcel or tract map. The additional map sheet shall include the following:

If improvements are bonded for, all public improvements (roads, drainage, and utilities) shall be completed prior to occupancy of any new structure.

**Miscellaneous**

- ☐ This subdivision is also subject to the standard conditions of approval for all subdivisions using community water and septic tanks a copy of which is attached hereto and incorporated by reference herein as though set forth in full.
- ☐ All timeframes on approved tentative maps for filing of final parcel or tract maps are measured from the date the Review Authority approves the tentative map, not from any date of possible reconsideration action.

Staff report prepared by Nick Forester  
and reviewed by Kami Griffin

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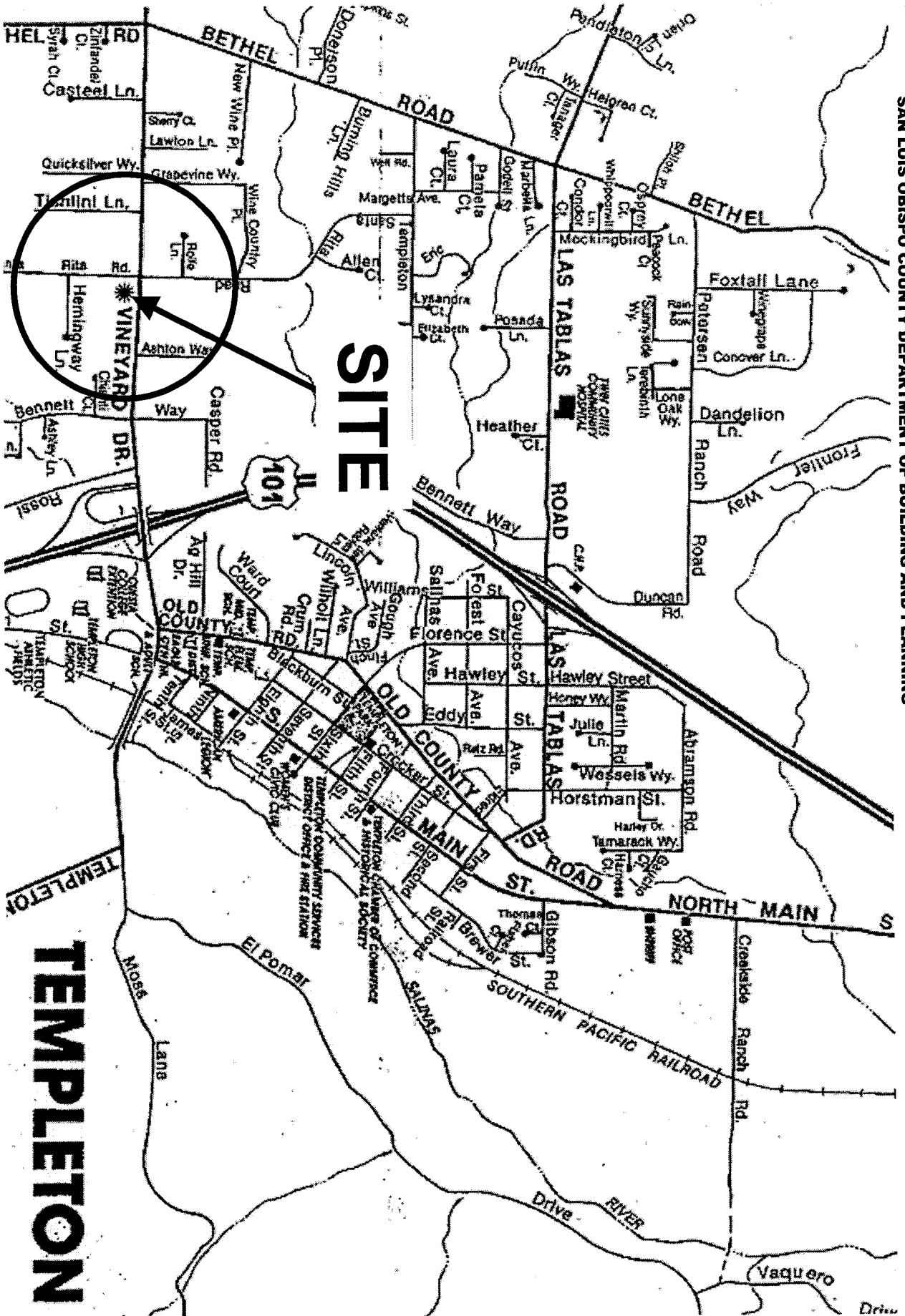
STANDARD CONDITIONS OF APPROVAL FOR SUBDIVISIONS  
USING COMMUNITY WATER AND SEPTIC TANKS

1. Community water and fire protection shall be obtained from the community water system.
2. Operable water facilities from an approved community water source shall be assured prior to the filing of the final map. A "final will serve" letter shall be obtained and submitted to the county Health Department for review and approval stating there are operable water facilities immediately available for connection to the parcels created. Water main extensions, laterals to each parcel and related facilities (except well(s)) may be bonded for subject to the approval of county Public Works, the county Health Department and the public water utility.
3. No residential building permits are to be issued until the community (public) water system is operational with a domestic water supply permit issued by the county Health Officer.
4. In order to protect the public safety and prevent possible groundwater pollution, any abandoned wells on the property shall be destroyed in accordance with the San Luis Obispo County Well Ordinance Chapter 8.40, and county Health Department destruction standards. The applicant is required to obtain a permit from the county Health Department.
5. When a potentially operational or operational auxiliary water supply in the form of an existing well(s) is located on the parcels created and approved community water is proposed to serve the parcels, the community water supply shall be protected from real or potential cross-contamination by means of an approved cross-connection control device installed at the meter or property line service connection prior to occupancy. (Chapter 8.30, San Luis Obispo County Ordinance)
6. On-site systems that are in conformance with the county-approved Central Coast Regional Water Quality Control Board basin plan will be an acceptable method of sewage disposal, until public sewers may become available.
7. No sewage disposal system installations are to be placed closer than 100 feet from the top of any perennial or continuous creek banks, drainage swales or areas subject to inundation.
8. For parcels created with approved community (public) water but no community sewers, the approved on-site sewage disposal systems shall be designed, where feasible, for ease in ultimate sewerage.
9. Sewage disposal systems shall be separated from any individual domestic well and/or agricultural well, as follows: 1) leaching areas, feed lots, etc., one hundred (100) feet and bored seepage pits (dry wells), one hundred and fifty (150) feet. Domestic wells intended to serve multiple parcels or 25 or more individuals at least 60 days out of the year shall be separated by a minimum of two hundred (200) feet from a leachfield, two hundred and fifty (250) feet from seepage pits or dry wells.
10. Sewage disposal systems installed on slopes in excess of 20% shall be designed and certified by a registered civil engineer or geologist and submitted to the county Planning and Health Departments for review and approval prior to the issuance of a building



permit. Consultants shall determine geologically stable building sites and sewage disposal for each parcel, including evaluations of hillside stability under the most adverse conditions including rock saturation and seismic forces. Slopes in excess of 30% are not considered suitable or practical for on-site subsurface sewage disposal.

11. An encroachment permit shall be obtained from county Public Works for any work to be done within the county right-of-way.
12. An encroachment permit be obtained from the California Department of Transportation for any work to be done on the state highway.
13. Any existing reservoir or drainage swale on the property shall be delineated on the map.
14. Prior to submission of the map "checkprints" to county Public Works, the project shall be reviewed by all applicable public utility companies and a letter be obtained indicating required easements.
15. Required public utility easements be shown on the map.
16. Approved street names shall be shown on the map.
17. The applicant shall comply with state, county and district laws/ordinances applicable to fire protection and consider increased fire risk to area by the subdivision of land proposed.
18. The developer shall submit a preliminary subdivision guarantee to county Public Works for review prior to the filing of the map.
19. Any private easements on the property shall be shown on the map with recording data.
20. All conditions of approval herein specified, unless otherwise noted, are to be complied with prior to the filing of the map.
21. After approval by the Review Authority, compliance with the preceding conditions will bring the proposed subdivision in conformance with the Subdivision Map Act and county ordinances.
22. A map shall be filed in accordance with Subdivision Map Act and county ordinance prior to sale, lease, or financing of the lots proposed by the subdivision.
23. A tentative map will expire 24 months from the effective date of the approval. Tentative maps may be extended. Written requests with appropriate fees shall be submitted to the Planning Department prior to the expiration date. The expiration of tentative maps will terminate all proceedings on the matter.



PROJECT

Parcel Map

Bilveu SUB2004-00213

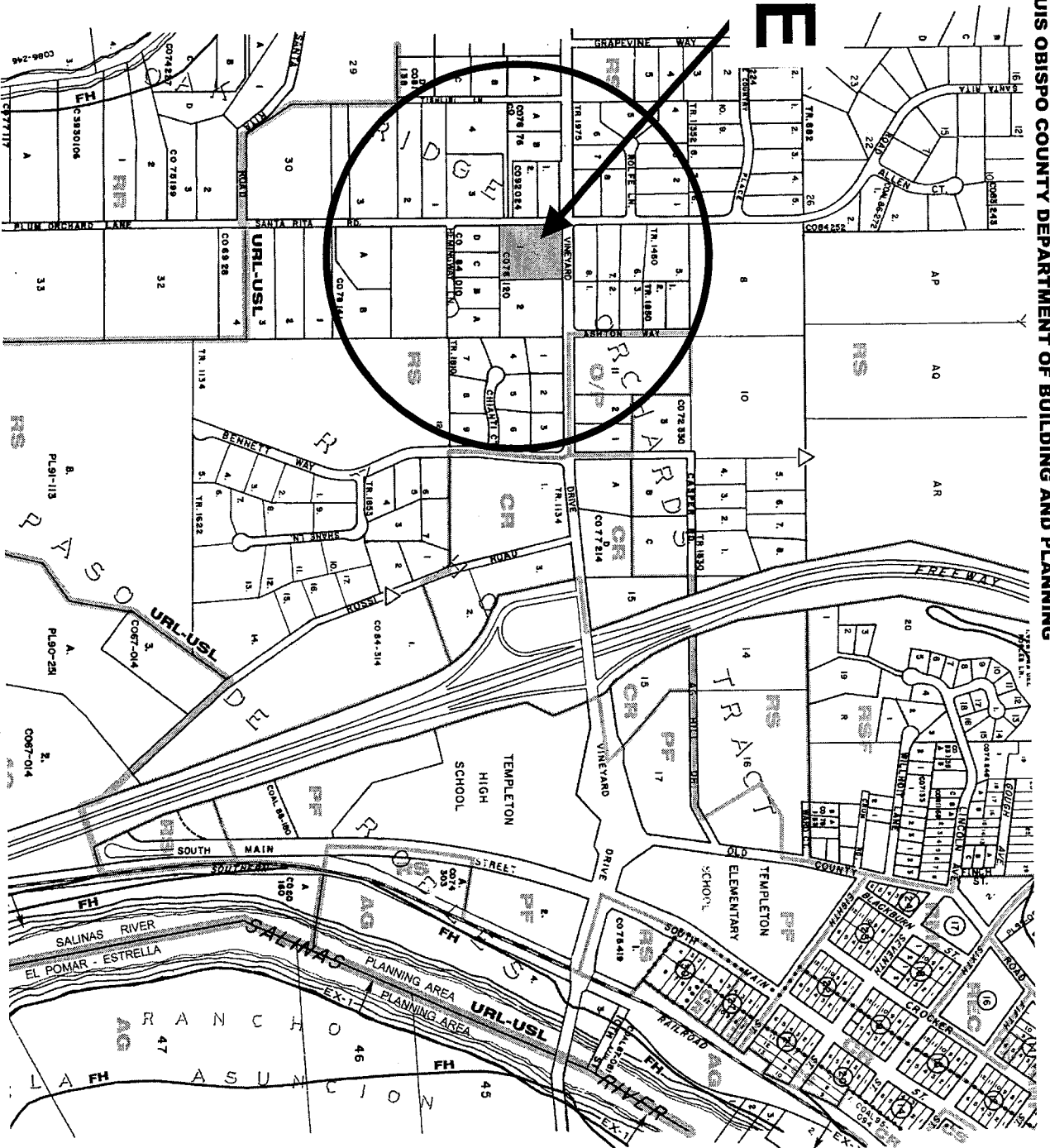


EXHIBIT

Vicinity Map

TEMPLETON

# SITE



PROJECT

Parcel Map

Bilyeu SUB2004-00213

EXHIBIT

Land Use Category Map



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PROJECT

Parcel Map

Bilyeu SUB2004-00213



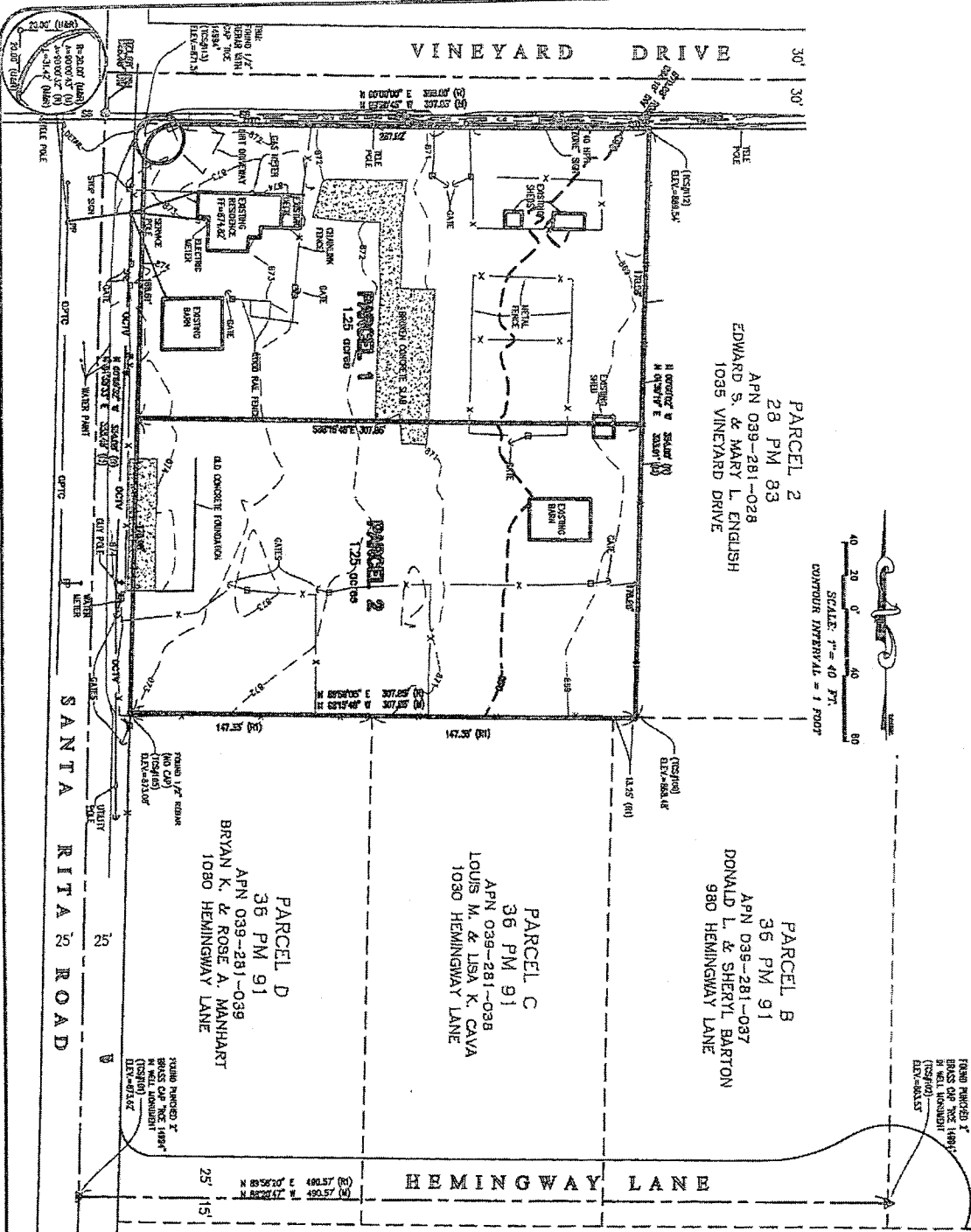
EXHIBIT

Aerial Photo

PROPERTY OWNERS/SITE INFORMATION

OWNER: J. & BARBARA L. BILLYE  
1005 VINEYARD DRIVE  
SAN LUIS OBISPO, CA 93465  
APN 039-281-027

TENTATIVE PARCEL MAP CO 04-0574  
A SUBDIVISION OF PARCEL 1 OF PARCEL MAP CO 28-120 AS RECORDED  
IN BOOK 28 PAGE 1 OF PARCEL MAPS IN THE OFFICE OF THE COUNTY  
RECORDER, COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA



OWNER'S STATEMENT

I, THE UNDERSIGNED, J. & BARBARA L. BILLYE, OF THE COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA, DO HEREBY CERTIFY THAT I AM THE AUTHORIZED REPRESENTATIVE OF THE OWNERS AND THAT THIS MAP IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

W. E. T. CA 1177  
12-29-2004  
DATE



TECHNICAL SURVEYING, INC.  
615-C MAIN STREET / P.O. BOX 777  
SAN LUIS OBISPO, CA 93406  
TEL: (805) 438-1834 FAX: (805) 438-1834

DRAWN BY: [Signature]  
DATE: 04/02/2004  
SHEET 1 OF 1

PROJECT

Parcel Map

Bilyeu SUB2004-00213

EXHIBIT

Site Plan



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